

Part 1

General Provisions

58-28-101 Short title.

This chapter is known as the "Veterinary Practice Act."

Renumbered and Amended by Chapter 109, 2006 General Session

58-28-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Abandonment" means to forsake entirely or to refuse to provide care and support for an animal placed in the custody of a licensed veterinarian.
- (2) "Administer" means:
 - (a) the direct application by a person of a prescription drug or device by injection, inhalation, ingestion, or by any other means, to the body of an animal that is a patient or is a research subject; or
 - (b) a veterinarian providing to the owner or caretaker of an animal a prescription drug for application by injection, inhalation, ingestion, or any other means to the body of the animal by the owner or caretaker in accordance with the veterinarian's written directions.
- (3) "Animal" means any animal other than a human.
- (4) "AVMA" means American Veterinary Medical Association.
- (5) "Board" means the Veterinary Board established in Section 58-28-201.
- (6) "Client" means the patient's owner, the owner's agent, or other person responsible for the patient.
- (7) "Direct supervision" means a veterinarian licensed under this chapter is present and available for face-to-face contact with the patient and person being supervised, at the time the patient is receiving veterinary care.
- (8) "Extra-label use" means actual use or intended use of a drug in an animal in a manner that is not in accordance with approved labeling.
- (9) "Immediate supervision" means the veterinarian licensed under this chapter is present with the individual being supervised, while the individual is performing the delegated tasks.
- (10) "Indirect supervision" means a veterinarian licensed under this chapter:
 - (a) has given either written or verbal instructions for veterinary care of a patient to the person being supervised; and
 - (b) is available to the person being supervised by telephone or other electronic means of communication during the period of time in which the veterinary care is given to the patient.
- (11) "Practice of veterinary medicine, surgery, and dentistry" means to:
 - (a) diagnose, prognose, or treat any disease, defect, deformity, wound, injury, or physical condition of any animal;
 - (b) administer, prescribe or dispense any drug, medicine, treatment, method, or practice, perform any operation or manipulation, apply any apparatus or appliance for the cure, relief, or correction of any animal disease, deformity, defect, wound, or injury, or otherwise practice any veterinary medicine, dentistry, or surgery on any animal;
 - (c) represent by verbal or written claim, sign, word, title, letterhead, card, or any other manner that one is a licensed veterinarian or qualified to practice veterinary medicine, surgery, or dentistry;
 - (d) hold oneself out as able to practice veterinary medicine, surgery, or dentistry;

- (e) solicit, sell, or furnish any parenterally administered animal disease cures, preventions, or treatments, with or without the necessary instruments for the administration of them, or any and all worm and other internal parasitic remedies, upon any agreement, express or implied, to administer these cures, preventions, treatments, or remedies; or
 - (f) assume or use the title or designation, "veterinary," "veterinarian," "animal doctor," "animal surgeon," or any other title, designation, words, letters, abbreviations, sign, card, or device tending to indicate that such person is qualified to practice veterinary medicine, surgery, or dentistry.
- (12) "Unlawful conduct" is defined in Sections 58-1-501 and 58-28-501.
- (13) "Unlicensed assistive personnel":
- (a) means any unlicensed person, regardless of title, to whom tasks are delegated by a veterinarian licensed under this chapter as permitted by administrative rule and in accordance with the standards of the profession; and
 - (b) includes:
 - (i) a veterinary assistant, if working under immediate supervision;
 - (ii) a veterinary technician who:
 - (A) has graduated from a program of veterinary technology accredited by the AVMA that is at least a two-year program; and
 - (B) who is working under direct supervision; and
 - (iii) a veterinary technologist who:
 - (A) has graduated from a four-year program of veterinary technology accredited by the AVMA; and
 - (B) is working under indirect supervision.
- (14) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-28-502 and may be further defined by rule.
- (15) "Veterinarian-client-patient relationship" means:
- (a) a veterinarian licensed under this chapter has assumed responsibility for making clinical judgements regarding the health of an animal and the need for medical treatment of an animal, and the client has agreed to follow the veterinarian's instructions;
 - (b) the veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, including knowledge of the keeping and care of the animal as a result of recent personal examination of the animal or by medically appropriate visits to the premises where the animal is housed; and
 - (c) the veterinarian has arranged for emergency coverage for follow-up evaluation in the event of adverse reaction or the failure of the treatment regimen.

Amended by Chapter 189, 2010 General Session